

A RESOLUTION 2004-34-29

EXPRESSING THE CITY OF SAN ANTONIO'S INTENT TO CONSIDER THE CREATION OF A TAX INCREMENT FINANCING (TIF) REINVESTMENT ZONE TO FINANCE PUBLIC IMPROVEMENTS IN SUPPORT OF THE BROOKS CITY-BASE DEVELOPMENT (CITY COUNCIL DISTRICT 3) LOCATED INSIDE LOOP 410, A HALF MILE WEST OF I-37, SOUTH OF S.E. MILITARY DRIVE AND EAST OF OLD CORPUS CHRISTI ROAD, FOR THE PURPOSE OF SUPPORTING INFRASTRUCTURE IMPROVEMENTS, PROVIDING COMMERCIAL, RETAIL AND TECHNOLOGY-BASED OFFICE SPACE AND OTHER AMENITIES FOR THE AREA; PROVIDING FOR A WAIVER OF THE \$31,000 PROCESSING FEE; AUTHORIZING AND DIRECTING DISTRIBUTION OF A WRITTEN NOTICE OF THE CITY'S INTENTION TO CONSIDER THE CREATION OF THE PROPOSED REINVESTMENT ZONE TO EACH TAXING UNIT THAT LEVIES A TAX IN THE PROPOSED ZONE; AUTHORIZING A REQUEST TO EACH TAXING ENTITY FOR THE APPOINTMENT OF A REPRESENTATIVE TO MEET WITH THE CITY TO DISCUSS THE PROJECT; AND DELEGATING AUTHORITY TO CALL AND HOLD MEETINGS WITH REPRESENTATIVES OF EACH TAXING UNIT.

* * * * *

WHEREAS, tax increment financing is an economic development tool authorized by the Tax Increment Financing Act, Texas Tax Code, Chapter 311 (the "Act"), used by municipalities to finance needed public improvements and enhanced infrastructure within certain areas of the municipality by leveraging private investment for certain types of development activities; and

WHEREAS, since 1998, the City of San Antonio has developed and adopted Tax Increment Financing ("TIF") and Reinvestment Zone Guidelines and Criteria ("Guidelines") in accordance with the requirements of the Act and most recently on January 8, 2004, by Ordinance No. 98663, adopted the 2004 Guidelines; and

WHEREAS, initiated in 2002, and again approved in 2004, one requirement of the Guidelines requires the payment by an applicant of a \$31,000 Processing Fee ten days after the approval by the City Council of a Resolution of Intent to consider the designation of a reinvestment zone, said fee intended to pay for staff's in-depth TIF application review and development of preliminary Project and Financing Plans for the proposed project; and

WHEREAS, in June 2004, the City Clerk received an application, sponsored by the City's Economic Development Department, from the Brooks Development Authority, for the use of TIF in accordance with the 2004 Guidelines, for the Brooks City-Base Project (the "Project"), located in City Council District 3, inside Loop 410, a half-mile west of I-37, south of S.E. Military Drive and east of Old Corpus Christi Road, in a developable site of the San Antonio Empowerment Zone, and in the City's Primary TIF Target Area; and

WHEREAS, the application proposes public improvements for the Project, including streets, drainage, sewer, water, and other infrastructure improvements; and

WHEREAS, as the Project is City-sponsored, staff recommends that the \$31,000 TIF Processing Fee as required by Section II (F) of the Guidelines, be waived for this Project; and

WHEREAS, while the Brooks City-Base is located in an enterprise zone under Chapter 2303, Texas Government Code, thus removing the necessity of public hearings or other procedural requirements of the Act, the TIF Policy is nevertheless to comply with the statutory requirements for zone designation, in order to fully review each application to confirm the viability of a proposed project and to develop Project and Financing Plans for the project; and

WHEREAS, the Act requires the City, prior to the creation of a reinvestment zone, to hold a public hearing on the creation of the proposed zone and its benefits to the City and the property within the proposed zone; and

WHEREAS, pursuant to Section 311.003(e) of the Act, before holding the public hearing on the creation of the proposed zone, the governing body of the City must provide written notice of the City's intent to consider the designation of such zone to the governing body of each taxing unit that levies real property taxes in the proposed reinvestment zone, unless such notice is waived by the taxing units, not later than the 60th day before the date of the public hearing to designate the reinvestment zone; and

WHEREAS, the City desires to notify the governing bodies that levy real property taxes in the proposed reinvestment zone, of the City's intent to consider designation of a TIF reinvestment zone; and

WHEREAS, pursuant to Section 311.003(f) of the Act, the City Council deems it advisable to: (i) request the opportunity to make a formal presentation to the governing body of Bexar County and each school district that levies real property taxes in the proposed reinvestment zone; and (ii) notify each taxing unit that levies real property taxes in the proposed reinvestment zone of presentations to be made before the county and each school district; and

WHEREAS, pursuant to Section 311.003(g) of the Act, the City Council deems it advisable to: (i) request each taxing unit that levies real property taxes in the proposed reinvestment zone to designate a representative from such unit to meet with the City staff to discuss the project plans and preliminary reinvestment zone financing plan for the proposed reinvestment zone; and (ii) delegate to City staff the authority to call one or more meetings, as may be needed with the representatives of the taxing units; and

WHEREAS, approval of this resolution would authorize City staff to initiate an in-depth review of the project for consideration of designation of a TIF reinvestment zone; **NOW THEREFORE:**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City of San Antonio ("City") hereby expresses its intent, based on preliminary review of the Brooks Development Authority application, to consider the designation, at a future time, the area commonly known as Brooks City-Base as a Tax Increment Financing ("TIF") reinvestment zone.

SECTION 2. The City's expression of this intent does not constitute actual designation of or an obligation to designate the Zone, but merely indicates the intent of the City for the purpose of proceeding in the process of consideration of designation of a TIF reinvestment zone, and is based on a preliminary review of the information provided in the application.

SECTION 3. City staff is hereby authorized to provide written notice of the City's intent to each taxing unit that levies a tax in the proposed zone, request each of those taxing entities to appoint a representative to meet with City staff to discuss the proposed project, and to call and hold meetings with representatives of those taxing entities, as provided by Section 311.003 of the Act.

SECTION 4. This resolution does not preclude the City from continuing its evaluation of the Brooks Development Authority application or requesting additional information from the applicant.

SECTION 5. The \$31,000 TIF Processing Fee required by Section II (F) of the Guidelines, shall be waived for this City-sponsored project.

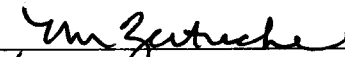
SECTION 6. This resolution shall be effective on and after the tenth (10th) day after passage hereof.

PASSED AND APPROVED this 23rd day of September 2004.



M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney

Agenda Voting Results

Name: 39C. 2004-34-29

Date: 09/24/04

Time: 12:24:31 AM

Vote Type: Multiple selection

Description: C. A Resolution expressing the City of San Antonio's intent to consider the creation of a Tax Increment Financing (TIF) Reinvestment Zone to finance public improvements in support of the Brooks City-Base Development (City Council District 3) located inside Loop 410, a half mile west of I-37, south of S.E. Military Drive and east of Old Corpus Christi Road, for the purpose of supporting infrastructure improvements, providing commercial, retail and technology-based office space and other amenities for the area; providing for a waiver of the \$31,000 processing fee; authorizing and directing distribution of a written notice of the City's intention to consider the creation of the proposed reinvestment zone to each taxing unit that levies a tax in the proposed zone; authorizing a request to each taxing entity for the appointment of a representative to meet with the City to discuss the project; and delegating authority to call and hold meetings with representatives of each taxing unit.

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
CARROLL SCHUBERT	DISTRICT 9	Not present			
CHIP HAASS	DISTRICT_10	Not present			
MAYOR ED GARZA	MAYOR		x		